



*United States Attorney
Southern District of New York*

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**12 CHARGED BY U.S. WITH DEFRAUDING INSURANCE COMPANIES
THROUGH FAKE AUTO ACCIDENT SCHEMES AT 3 CITY CLINICS**

JAMES B. COMEY, the United States Attorney for the Southern District of New York, and PASQUALE D'AMURO, the Assistant Director in Charge of the FBI New York Office, announced today that 12 defendants were charged in Manhattan federal court with participating in three separate conspiracies to commit health care and insurance fraud at three different New York City medical clinics.

The alleged schemes involved the staging of automobile accidents and the filing numerous fraudulent claims with insurance companies. Three separate one-count Complaints and one four-count Indictment were unsealed today following the arrest of 9 of the defendants.

The defendants include 5 individuals - SEMEN KOPLAN, MICHAEL GITSIS, MIKHAIL AMIROV, SAM LEVY and ALEX LEVY - who are owners and managers of three New York City Medical Clinics: Advanced

Medical and Alternative Care, P.C., (operated by SEMEN KOPLAN and MICHAEL GITSIS), and Koach Medical (operated by MIKHAIL AMIROV), both located in Brooklyn, New York, and Laudago Medical, located in the Bronx, New York (operated by SAM LEVY, a/k/a "Shlomo Levy," a/k/a "Shlomo Leviyev," and ALEX LEVY, a/k/a "Alexandr Levy," a/k/a "Alex Leviyev").

The Complaints charge that from 1998 to November 2003, all 5 of these defendants operated medical clinics that regularly falsified medical records and over-billed insurance companies for patients who had either participated in staged automobile accidents or had been in actual automobile accidents, but in either case were not really injured.

According to the Complaints, these 3 clinics engaged in these fraud schemes by manipulating the New York State no-fault insurance system to ensure that they would be reimbursed by private insurance companies for non-existent, unnecessary or excessive medical treatments for patients who were not even injured.

In addition, during the course of the conspiracy, these medical clinic owners, such as SAM LEVY and ALEX LEVY at Laudago Medical, allegedly instructed employees of their medical clinic to falsify records for certain patients, it was charged. For example, at Laudago Medical, ALEXY LEVY instructed medical practitioners to back-date prescriptions and to order unnecessary medical equipment for patients in order to generate profits from the clinic, it was charged. Another clinic owner, MIKHAIL AMIROV, at times directed

patients to sign in for treatment at Advanced Medical Clinic that the patients had never actually received, it was charged.

The charged defendants also include 6 individuals known as "runners": SERGEY NIKITOV, a/k/a "Sergey Nekitoff," a/k/a "Sergui Nikitov;" YURIY BABAISAKOV; MICHAEL KHUTSISHVILI; VASILY LNU; OLEG KUSAYEV, and ANTON TRIKOZOV, a/k/a "Peter." The Complaints charge that runners are individuals who are paid by medical clinics to recruit individuals to come to the medical clinics and receive unnecessary medical treatment and, in many cases, to also arrange staged automobile accidents.

For example, it is alleged that SERGEY NIKITOV and YURIY BABAISAKOV described to a witness cooperating with the Government how they stage automobile accidents: by having a vehicle with a driver who is an expert at crashing cars (known as a "crasher") crash into a second, innocent vehicle not involved in the fraud scheme. Following the staged accident, the New York City Police Department is called to the scene and the participants in the staged accident falsely claim to have injuries from the staged accident. In addition, it is alleged that the three medical clinics involved in the charged fraud schemes, Advanced Medical, Koach Medical, and Laudago Medical, paid thousands of dollars to these and other runners to set up staged accidents and bring patients to these medical clinics for unnecessary medical treatment.

Finally, one defendant, ALEKSEY MAKAROV, is charged in an Indictment with being a runner as well as a professional "crasher," namely, someone who actually drives and crashes the vehicle during the staged accident. MAKAROV brought staged accident cases to many medical clinics throughout New York City, including Advanced Medical.

These charges and the arrests by the FBI today are part of a broader initiative by the United States Attorney's Office for the Southern District of New York and the New York FBI Office to target insurance fraud in general and staged automobile accident schemes in particular. Since early 2002, these offices have brought a variety of charges against numerous owners and operators of medical clinics throughout New York City involved in these staged accident insurance fraud schemes, including several doctors who worked at these clinics, several attorneys who assisted in filing the fraudulent insurance claims, and dozens of runners and crashers. These prior cases include the following:

In late 2001 and early 2002, Dr. Josef Sherman and his brother Yevgenny Sherman, as well as Gennady Medvodovsky, were charged with fraudulently operating the Sammimax Medical Clinic in Brooklyn, New York. All three pled guilty to, among other things, federal mail fraud and health care fraud charges in August 2002, for their participation in this scheme. In addition, two attorneys, Alexander Galkovich and Solomon Kaplan, associated with the Sammimax

clinic have been charged and one of those attorneys, Alexander Galkovich has pleaded guilty to federal fraud charges. Kaplan is awaiting trial.

In October 2002, six individuals associated with the Tender Medical Clinic in Brooklyn, New York, were convicted in federal court in Manhattan with participating in a broad-based health care insurance fraud scheme involving staged automobile accidents. These individuals included Dima Koner, Oleg Kholodenko, and German Yagupolsky, all managers of Tender Medical, Yana Dedusenko, a receptionist at Tender Medical, Pabel Tisnovsky, a physical therapist, and Victoria Volfson, a paralegal at a law office associated with Tender Medical.

In November 2002, nine defendants were charged with participating in staged accident insurance fraud schemes at 2 other medical clinics in Brooklyn, the Rehabilitation Center and A.M. Medical. This wide-reaching scheme involved individuals who acted as passengers in staged automobile accidents, various health care providers and one manager associated with these two medical clinics, as well as the owners of a Brooklyn auto mechanic who inflicted additional damage on the vehicles used in these schemes to collect further insurance proceeds.

In July 2003, four individuals were charged in Manhattan federal court with participating in a conspiracy to commit health

care and insurance fraud related to automobile accidents in New York City and Florida as part of a multi-state insurance fraud scheme. The defendants charged in this case were Kirill Percy, a personal injury lawyer in Manhattan, who also was associated with several medical clinics in New York; Arthur Percy (Kirill Percy's brother), the operator of a Florida medical clinic; Mihail Murakhovsky, the manager of a Florida medical clinics, and Max Santiago, a tow truck driver who directed accident victims to medical clinics affiliated with the defendants in exchange for secret cash payments. The medical clinics involved in this scheme were Livingston Medical Associates in Brooklyn, Southern Medical Offices in the Bronx, North Miami Pain and Rehabilitation Center in North Miami, Florida, and Broward Pain and Rehabilitation Group in Lauderhill, Florida. All four defendants are currently awaiting trial.

SEMEN KOPLAN, MICHAEL GITIS, OLEG KUSAYEV, ANTON TRIKOZOV, SERGEY NIKITOV, YURIY BABAISAKOV, MIKHAIL AMINOV, SAM LEVY and ALEX LEVY have been arrested and MICHAEL KHUTSISHVILI is expected to surrender shortly. ALEKSEY MAKAROV and VASILY LNU are still being sought.

The nine defendants in custody were arrested by FBI agents and will be presented later today before United States Magistrate Judge JAMES C. FRANCIS IV.

If convicted, each defendant faces a maximum sentence of

five years in jail and a \$250,000 fine or twice the gross gain or loss resulting from the crime.

Mr. COMEY praised the efforts of the FBI and the cooperation of the National Insurance Crime Bureau, Liberty Mutual Insurance Co., and State Farm Insurance Co. He said the investigation is continuing.

Assistant United States Attorney MIRIAM E. ROCAH is in charge of the prosecution.

The charges contained in the Complaints and the Indictment are merely accusations, and the defendants are presumed innocent unless and until proven guilty.

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